

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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SERIAL NO.: 10/088,043

ART UNIT: 3661

FILED: June 19, 2002

EXAMINER: ZANELLI, M.J.

TITLE: PORTABLE DEVICE SUPPLYING TOURIST INFORMATION

AMENDMENT "A"

Director of the U.S. Patent
and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of August 13, 2003, a response being due with a three month extension of time by February 13, 2004, having a response being due on March 3, 2004, please consider the following remarks:

REMARKS

Upon entry of the present remarks, previous Claims 1 - 15 have been canceled and new Claims 16 - 28 substituted therefor. Reconsideration of the rejections, in light of the present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the application into a proper condition for allowance.

In the Office Action, it is indicated that Claims 1 - 5, 8 and 13 - 15 were rejected under 35 U.S.C. § 102(b) as anticipated by the Schaphorst patent. Claims 1 - 5, 8, 9, 11, 13 and 14 were

rejected under 35 U.S.C. § 102(e) as anticipated by the Jamison patent. Claims 1 - 15 were also rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 12 was rejected under 35 U.S.C. § 112, first paragraph, as lacking an enabling disclosure. Additionally, the Abstract, drawings and disclosure were objected to because of minor informalities. Claims 6, 7 and 10 were not rejected based upon the prior art. As such, Applicant considers such claims to be "objected to".

Although Applicant respectfully disagrees with the Examiner's with respect to the prior art rejections, Applicant is desirous of obtaining patent protection at an early date. As such, Applicant has placed those "objected to" claims into a proper independent form. Applicant has also extensively revised the language of the original claims so as to conform the claims with proper U.S. formality requirements, including proper antecedent bases and proper structural interrelationships throughout. Any indefinite terminology found in the original claims has been corrected herein. Specifically, new independent Claim 16 incorporates the limitations of limitations of original independent Claim 1, along with the limitations of objected-to Claim 6. As such, Claim 16 should be in a proper condition for allowance. Dependent Claims 17 - 20 correspond, respectively, to the limitations of previous dependent Claims 2 - 5 but now depend on new independent Claim 16. New dependent Claims 21 - 23 correspond, respectively, to original dependent Claims 7 - 9 but also depend from new independent Claim 16.

New independent Claim 24 corresponds the limitations of original independent Claim 1, along with the limitations of objected-to Claim 10. As such, Claim 24 should be in a proper condition for allowance. Dependent Claims 25 and 26 corresponds, respectively, to the limitations of original dependent Claims 11 and 12, respectively. New dependent Claim 27 corresponds to the limitations of previous dependent Claims 13 and 14 combined. New dependent Claim 28 corresponds to the

limitations of previous dependent Claim 15. Throughout all of these independent and dependent claims, extensive measures have been taken so as to correct for the original claim language informalities. The numerical references found in the original claim language have been removed herefrom. The "means" language has been properly expressed in "means-plus-function" format. The language of the dependent claims will be consistent with the language from the independent claim upon which it is based.

Applicant has revised the specification so as to correct for the informalities identified by the Examiner. In particular, since the casing "12" was not shown in the drawings, Applicant has removed the numerical reference "12" therefrom. Similarly, since the memory "18" was not shown in the drawing, Applicant has removed the numerical reference "18" therefrom. Applicant has added the reference numeral "9" to the drawings so as to indicate the "playing means" as indicating either the monitor 10 or the earphones 11. Applicant has revised the numerical reference to "reading means" in paragraph [0055] to reference numeral "7", as suggested by the Examiner.

The Abstract has been extensively revised so as to conform with U.S. format requirements. Portion of the Abstract have been removed from the original Abstract so as to reduce the number of words to below 150.

Based upon the foregoing analysis, Applicant contends that independent Claims 16 and 24 are now in proper condition for allowance. Additionally, those claims which are dependent upon these independent claims should also be in condition for allowance. Reconsideration of the rejections and

allowance of the claims at an early date is earnestly solicited. Since no new claims have been added above those originally paid for, no additional fee is required.

Respectfully submitted,

2.13.04
Date


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